

Claims 3 and 6 were rejected under 35 USC 103 as being obvious over Forquy et al taken in view of Ito et al and claims 20 to 22 and 36 to 40 were rejected under 35 USC 103 as being obvious over Reeve et al taken in view of Forquy et al. Claims 1, 3, 5, 7, 12, 14 to 19, 47 and 48 were rejected under 35 USC 103 as being obvious over Koblinski et al in view of Forquy et al.

Applicants traverse these grounds of grounds of rejection since each rejection is based on the teaching of Forquy et al as set forth in the 102 rejection, namely Forquy et al teaches a cobalt-ruthenium sulfide catalyst on active carbon. However, as clearly shown by Professor Faita's declaration of record, active carbon cited in lines 27 to 30 of column 2 of Forquy et al clearly is not conductive and not equivalent to Applicants' electrically conductive carbon black as assumed by the Examiner. Therefore, each of the 103 obviousness rejections fail since the Forquy et al active carbon is not equivalent to carbon black support the claimed electrodes. Therefore, withdrawal of these grounds of rejection is requested.